

REMARKS

Applicant has now had an opportunity to carefully consider the Office Action, and respectfully submits that the subject application is now in condition for allowance based upon the amendments presented herein and the following remarks.

Status of Claims

The subject application was originally filed with 26 claims. In a Preliminary Amendment, Applicant cancelled claims 1-12 without prejudice. In this Amendment, Applicant has cancelled claims 13, 20, 21, 25, and 26 without prejudice and added new claims 27-40. Upon entry of this Amendment, claims 14-19, 22-24, and 27-40 will be pending in the subject application.

Summary of Office Action

In the Office Action dated February 20, 2008, the Examiner:

- 1) rejected claims 13-21, 23, and 25-26 under 35 U.S.C. § 102(b) as being anticipated by U.S. Publication No. 2003/0019525 issued to Shen (“Shen”);
- 2) rejected claims 13, 15, 16, 18-20, 22-23, and 25 under 35 U.S.C. § 102(b) as being anticipated by French Patent No. FR2397578 issued to Baudet (“Baudet”);
- 3) rejected claims 13-16, 18, 20, 21, 23, and 26 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,701,704 issued to Lawrence (“Lawrence”);
- 4) rejected claims 13-16, 18-23, and 26 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,782,291 issued to Clarkson (“Clarkson”);
- 5) rejected claim 24 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,971,404 issued to Quarve (“Quarve”);
- 6) rejected claims 17 and 25 under 35 U.S.C. § 103(a) as being unpatentable over Lawrence or Clarkson alone or in view of Canzano; and
- 7) rejected claim 19 under 35 U.S.C. § 103(a) as being unpatentable over Lawrence in view of Baudet.

35 U.S.C. § 102(b) Rejection of Claims 13-21, 23, and 25-26 Based on Shen

Since claims 13, 20, 21, 25, and 26 have been cancelled without prejudice and claims 14-19 have been amended to depend either directly or indirectly from independent claim 24, the 35 U.S.C. § 102(b) rejection to these claims based on Shen are moot and should therefore be withdrawn.

35 U.S.C. § 102(b) Rejection of Claims 13, 15, 16, 18-20, 22-23, and 25 Based on Baudet

Since claims 13, 20, and 25 have been cancelled without prejudice and claims 15, 16, 18, and 22-23 have been amended to depend either directly or indirectly from independent claim 24, the 35 U.S.C. § 102(b) rejection to these claims based on Baudet are moot and should therefore be withdrawn.

35 U.S.C. § 102(b) Rejection of Claims 13-16, 18, 20, 21, 23, and 26 Based on Lawrence

Since claims 13, 20, 21, and 26 have been cancelled without prejudice and claims 14-16, 18, and 23 have been amended to depend either directly or indirectly from independent claim 24, the 35 U.S.C. § 102(b) rejection to these claims based on Lawrence are moot and should therefore be withdrawn.

35 U.S.C. § 102(b) Rejection of Claims 13-16, 18-23, and 26 Based on Clarkson

Since claims 13, 20, 21, and 26 have been cancelled without prejudice and claims 14-16, 18, 19, and 22-23 have been amended to depend either directly or indirectly from independent claim 24, the 35 U.S.C. § 102(b) rejection to these claims based on Clarkson are moot and should therefore be withdrawn.

35 U.S.C. § 102(b) Rejection of Claim 24 Based on Quarve

As discussed above, claim 24 was rejected under 35 U.S.C. § 102(b) as being anticipated by Quarve. For at least the following reason, Applicant traverses this rejection.

Independent claim 24 has been amended to require that the blocking portion of the slide “divides the slide bore into a chamber,” “wherein at least one channel is provided that permits fluid communication between the chamber and the passage channel, thereby allowing the chamber to be subjected to the fluid pressure prevailing in the passage channel,” and “wherein,

when the pressure in the passage channel exceeds a predetermined fluid pressure, the slide moves to its blocking position.” These amendments are derived from claim 21, which is now cancelled, and the specification and drawings of the subject application. Quarve fails to disclose all of these limitations. Instead, Quarve discloses a fluid system that includes a closing valve that stops fluid flow whenever a downstream pressure drops below a predetermined pressure value. Indeed, this is opposite from the claimed invention, which requires the valve to stop fluid flow when the upstream pressure exceeds a predetermined pressure value.

For at least this reason, the 35 U.S.C. § 102(b) rejection with respect to independent claim 24 is unsupported by Quarve and should be withdrawn. Since claims 14-19 and 22-23 depend, either directly or indirectly, from independent claim 14 and incorporate by reference all of the limitations from this claim, the rejection to these claims should also be withdrawn for the same reasons.

35 U.S.C. § 103(a) Rejection of Claims 17 and 25 Based on Lawrence or Clarkson in view of Canzano

Since claim 25 has been cancelled without prejudice and claim 17 has been amended to depend indirectly from independent claim 24, the 35 U.S.C. § 103(a) rejection to these claims based on Lawrence or Clarkson in view of Canzano are moot and should therefore be withdrawn.

35 U.S.C. § 103(a) Rejection of Claim 19 Based on Lawrence in view of Baudet

Since claim 19 has been amended to depend directly from independent claim 24, the 35 U.S.C. § 103(a) rejection to this claim based on Lawrence in view of Baudet is moot and should therefore be withdrawn.

New Claims

In this Amendment, Applicant has added new claims 27-40. These new claims do not introduce new matter as they are fully supported by the specification. Additionally, consideration of new claims 27-40 should not require an additional search. Applicant respectfully submits that new claims 27-40 are patentable in light of the art of record.

Conclusion

In view of the remarks above and the amendments presented herein, it is believed that claims 14-19, 22-24, and 27-40 are in condition for allowance and notice to such effect is

respectfully requested. If the Examiner thinks a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned at the phone number provided below.

If additional fees are due in connection with this Amendment, the Commissioner is authorized to charge Deposit Account No. 02-2051, specifically identifying Docket No. 29399-1.

Respectfully submitted,

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